

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

DOCKET NO. 06-53 ORIGINAL

FILED/ACCEPTED

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Federal Communications Commission
Office of the Secretary

In the Matter of)
)
ARKANSAS CABLE)
TELECOMMUNICATIONS)
ASSOCIATION; COMCAST OF)
ARKANSAS, INC.; BUFORD)
COMMUNICATIONS I, L.P. d/b/a)
ALLIANCE COMMUNICATIONS)
NETWORK; WEHCO VIDEO, INC.;)
COXCOM, INC.; and CEBRIDGE ACQUISITION,)
L.P., d/b/a SUDDENLINK COMMUNICATIONS,)
)
Complainants,)
)
v.)
)
ENTERGY ARKANSAS, INC.,)
)
Respondent.)
)
)

EB Docket No. 06-53

EB-05-MD-004

COMPLAINANT ACTA'S TENTH AMENDED RESPONSES
TO ENTERGY'S FIRST INTERROGATORIES
AND REQUESTS FOR PRODUCTION

Complainant Arkansas Cable Telecommunications Association ("ACTA" or
"Complainant") hereby responds to Entergy's First Interrogatories and Requests for
Production as follows:

STATEMENT

This responding party and its attorneys have not completed discovery in
this action. All of the responses contained herein are based solely upon information
presently available to and specifically known by the party and its attorneys after diligent

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and good faith investigation. As discovery continues, witnesses, facts, and evidence may be discovered which are not set forth herein, but which may have been responsive to one or more of the interrogatories had the information been known at this time.

Facts and evidence now known may be imperfectly understood, and the relevance or consequences of such facts and information may be imperfectly understood. Accordingly, some facts and evidence now known may not, in good faith, be included in the following responses.

Complainant anticipates that further discovery, independent investigation, legal research and analysis will supply additional facts, may supply new meaning to known facts, and may establish entirely new facts or conclusions and legal contentions, all of which may lead to substantial modification to the discovery responses herein. The following interrogatory responses are given without prejudice to Complainant's right to produce witnesses and evidence, the significance of which are only subsequently discovered. Complainant therefore reserves the right to modify any or all responses made herein as additional facts are obtained, analyses are made, legal research is completed and contentions are developed. The responses contained herein are made in a good faith effort to supply such factual information as is presently known, but should in no way be interpreted to prejudice the rights of Complainant in relation to future discovery, research, or analysis.

Finally, Entergy's requests are in some cases duplicative of each other, and each document identified may not be responsive only to the Interrogatory or Request marked; in many cases, documents may be responsive to one or more additional Interrogatory or Request.

GENERAL OBJECTIONS

Complainant asserts the following General Objections, which are incorporated by reference into each specific response below:

1. Complainant objects to the Interrogatories, including the “Instructions” and “Definitions,” to the extent that they seek to impose burdens or duties upon Complainant that exceed the requirements and permissible scope of discovery under the FCC’s Rules and Procedures governing hearings and the Orders, including but not limited to the Hearing Designation Order and Judge Steinberg’s April 20, 2005 Procedural Order.
2. Complainant objects to the Interrogatories to the extent that they seek information reflecting communication protected from disclosure by the attorney-client privilege and/or material protected by the work-product doctrine or any other applicable privilege.
3. Complainant objects to the Interrogatories to the extent that they seek information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.
4. Complainant objects to the Interrogatories to the extent that they seek proprietary and/or confidential information and/or trade secrets.
5. Complainant objects to the Interrogatories to the extent that they are vague, overly broad, and/or confusing.
6. Complainant objects to the Interrogatories to the extent that they are unduly burdensome, unreasonably cumulative and duplicative, or call for information already in Entergy’s (or its agents’, representatives’ and contractors’) possession.

7. Complainant objects to the Interrogatories to the extent that they are intended solely for the purpose of annoyance, embarrassment, harassment, and/or oppression.

8. Complainant objects to the Interrogatories to the extent that they seek information that should more properly be obtained through deposition testimony.

9. Complainant anticipates discovering additional information and materials during the discovery process, which may be responsive to the discovery requests. Complainant expressly reserves the right to rely on such information and materials if and when they are discovered after the date of this response.

10. Complainant expressly reserves the right to supplement these objections.

11. These General Objections are incorporated into each specific response below and all such responses shall be subject to the foregoing General Objections.

REQUEST FOR PRODUCTION NO. 2: Produce all documents and tangible objects of every kind in your possession or under your control relating to the issues to be addressed at the formal hearing before the Administrative Law Judge which are contained in the Hearing Designation Order adopted on March 1, 2006, DA 06-494.

RESPONSE: See objections to Entergy Request No. 2 as set forth in Complainants' Response to Entergy Arkansas, Inc.'s First Interrogatories And Requests For Production To Certain Complainants. Subject to those objections, and any other objections relevant to this Request that have been raised by Complainants in the course

of this proceeding, Complainant is producing additional documents potentially responsive to the Request.

ARKANSAS CABLE TELECOMMUNICATIONS
ASSOCIATION; COMCAST OF ARKANSAS,
INC.; BUFORD COMMUNICATIONS I, L.P.
D/B/A ALLIANCE COMMUNICATIONS
NETWORK; WEHCO VIDEO, INC.; COXCOM,
INC.; AND CEBRIDGE ACQUISITION, L.P.,
D/B/A SUDDENLINK COMMUNICATIONS



J. D. Thomas
Paul A. Werner III
Dominic F. Perella
Hogan & Hartson L.L.P.
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004-1109
Telephone: (202) 637-5600
Facsimile: (202) 637-5910
jdthomas@hhlaw.com
pawerner@hhlaw.com
dfperella@hhlaw.com

September 5, 2007

Its Attorneys

CERTIFICATE OF SERVICE

I, Dominic F. Perella, hereby certify that on September 5, 2007, a copy of the foregoing COMPLAINANT ACTA'S TENTH AMENDED RESPONSES TO ENTERGY'S FIRST INTERROGATORIES AND REQUESTS FOR PRODUCTION was hand-delivered, and/or placed in the United States mail, and/or sent via electronic mail, postage prepaid, to:

Marlene H. Dortch (***Orig. & 6 copies***)
Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

The Honorable Arthur I. Steinberg **
Administrative Law Judge
Office of the Administrative Law Judge
Federal Communications Commission
445 Twelfth Street, S. W.
Washington, D. C. 20554

Shirley S. Fujimoto, Esquire **
David D. Rines, Esquire
McDermott Will and Emery LLP
600 Thirteenth Street, N.W.
Washington, D.C. 20005

Wm. Webster Darling, Esquire (overnight delivery) **
Entergy Services, Inc.
425 W. Capitol Avenue
P.O. Box 551
Little Rock, Arkansas 72203

Gordon S. Rather, Jr. (overnight delivery) **
Stephen R. Lancaster (overnight delivery)**
Michelle M. Kaemmerling
Wright, Lindsey & Jennings LLP
200 West Capitol Avenue
Suite 2300
Little Rock, AR 72201-3699

Alex Starr**
Lisa Saks
Michael Engel
Federal Communications Commission
Enforcement Bureau
Market Disputes Division
445 Twelfth Street, S. W.
Washington, D. C. 20554



Dominic F. Perella

* Served via U.S. Mail

** Also served via Electronic Mail